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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,994	09/01/2000	Koichiro Maemura	2271/62975	6805
7590	12/29/2004			
Richard F Jaworski Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			EXAMINER PARK, CHAN S	
			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/653,994	<b>Applicant(s)</b> MAEMURA, KOICHIRO	
	<b>Examiner</b> CHAN S PARK	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment was received on 7/22/04, and has been entered and made of record. Currently, **claims 1-42** are pending.

### ***Response to Arguments***

2. Applicant's arguments filed 7/22/04 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the rejection of independent claims 1-4, 17-20 and 39-42, wherein on pages 27 and 28, the applicant explains how the current invention differs from the teachings of Shaffer and Oba. Particularly, the applicant states that the current invention has, for example, the features of storing communication control information in connection with rejected messages which arrive from communication partners not registered in the receipt-allowed communication partner registration table, generate a list of the rejected messages on the basis of the stored communication control information, and visibly output the list, as provided by the claimed invention. Examiner has carefully considered the applicant's remarks and arguments but Examiner respectfully disagrees.

As previously cited in the Office action dated 5/6/04, under 35 U.S.C. 103(a), Shaffer discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of

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“acceptable” station identifiers in col. 4, lines 45-54), wherein said facsimile device provided with a receipt-rejecting function including,

a receipt-rejected communication control medium collecting (receiving station identifier at steps 404 and 406) the communication control information in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table (received identifier at steps 406 & 408), and storing said collected communication control information in a receipt-rejected communication control information storage medium (step 412 in fig. 4) and viewing the rejected station identifier (step 414 in col. 4, line 59).

Specifically, referring to col. 4, lines 55-65, the communication information of the receipt-rejected facsimile transmission (either the station identifier or the whole facsimile transmission) is stored in memory, at a step 412, and later the information can be printed so that the user can review the information (line 59). Thus, Shaffer clearly discloses/teaches the feature of storing communication control information in connection with rejected messages which arrive from communication partners not registered in the receipt-allowed communication partner registration table but *merely lacks the features of generating and printing the list of the rejected messages on the basis of the stored communication control information.*

To cure the deficiencies, Examiner brought and combined the invention of Oba with Shaffer in the Office action dated 5/6/04.

Examiner previously presented that Oba, the same field of endeavor of facsimile, discloses a function of collecting and storing a communication control information in an

error and/or status communication information storage medium (communication history memory 41 and col. 3, lines 31-35), a function of creating a list of image information on the basis of the communication control information storage medium, and a function of outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Since Shaffer discloses the method of storing the rejected station identifier in a memory (steps 408 & 412), at the time of the invention, it would have been obvious to person of ordinary skill in the art to combine the method of filtering unwanted facsimile data taught by Shaffer with the method of creating the list of receiving/transmitting history report stored in a memory taught by Oba to generate and to print the list of the rejected/blocked facsimile transmission. The motivation/suggestion for doing so would have been to create a history list of all rejected/blocked senders who have attempted to send a facsimile data. Additionally, the combined invention would have provided an option to review the history list and make a correction if a particular sender is mistakenly blocked/rejected previously.

3. Therefore, the rejections of independent claims 1-4, 17-20 and 39-42, and the claims depending therefrom, are maintained and repeated in this Office action.

### ***Claim Objections***

4. Claim 39 is objected to because of the following informalities: perhaps, a word "memorized" should be deleted (page 22, line 11). Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. U.S. Patent No. 6,239,881 (hereinafter Shaffer) in view of Oba et al. U.S. Patent No. 6,072,599 (hereinafter Oba).

5. With respect to claim 17, Shaffer discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54), wherein said facsimile device provided with a receipt-rejecting function including,

a receipt-rejected communication control medium collecting (receiving station identifier at steps 404 and 406) the communication control information in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table (received identifier at steps 406 & 408), and storing said collected communication control information in a receipt-rejected communication control information storage medium (step 412 in fig. 4) and viewing the rejected station identifier (step 414 in col. 4, line 59).

Shaffer does not disclose expressly a function of creating a list of image information on the basis of the communication control information stored in said receipt-

rejected communication control storage medium and a function of outputting the list of image information created by the communication control list creating medium.

Oba, however, discloses a function of collecting and storing a communication control information in an error and/or status communication information storage medium (communication history memory 41), a function of creating a list of image information on the basis of the communication control information storage medium, and a function of outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Shaffer and Oba are analogous art because they are from the same field of endeavor that is the facsimile art.

Since Shaffer discloses the method of storing the rejected station identifier in a memory (steps 408 & 412), at the time of the invention, it would have been obvious to person of ordinary skill in the art to combine the method of filtering unwanted facsimile data taught by Shaffer with the method of creating the list of receiving/transmitting history report stored in a memory taught by Oba to generate and to print the list of the rejected/blocked facsimile transmission.

The motivation/suggestion for doing so would have been to create a history list of all rejected/blocked senders who have attempted to send a facsimile data. Additionally, the combined invention would have provided an option to review the history list and make a correction if a particular sender is mistakenly blocked/rejected previously.

Therefore, it would have been obvious to combine Shaffer with Oba to obtain the invention as specified in claim 17.

6. With respect to claim 18, Shaffer discloses a method of controlling a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54),

wherein said method of controlling the facsimile device provided with a receipt-rejecting function comprising the steps of:

collecting communication control information (receiving station identifier at steps 404 and 406) in connection with the communication relating to message arrival from a communication partner not registered in said receipt-allowed communication partner registering table (received identifier at steps 406 & 408); and

storing said collected communication control information in a receipt-rejected communication control information storage medium (step 412 in fig. 4) and viewing the rejected station identifier (step 414 in col. 4, line 59).

Shaffer does not disclose expressly the steps of:

creating a list of image information on the basis of the communication control information;

creating the list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium; and

visibly outputting said created list of image information.



Oba, however, discloses steps of collecting and storing a communication control information in an error and/or status communication information storage medium (communication history memory 41), creating a list of image information on the basis of the communication control information storage medium, and visibly outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Shaffer and Oba are analogous art because they are from the same field of endeavor that is the facsimile art.

Since Shaffer discloses the method of storing the rejected station identifier in a memory (steps 408 & 412), at the time of the invention, it would have been obvious to person of ordinary skill in the art to combine the method of filtering unwanted facsimile data taught by Shaffer with the method of creating the list of receiving/transmitting history report stored in a memory taught by Oba to generate and to print the list of the rejected/blocked facsimile transmission.

The motivation/suggestion for doing so would have been to create a history list of all rejected/blocked senders who have attempted to send a facsimile data. Additionally, the combined invention would have provided an option to review the history list and make a correction if a particular sender is mistakenly blocked/rejected previously.

Therefore, it would have been obvious to combine Shaffer with Oba to obtain the invention as specified in claim 18.

7. With respect to claim 19, Shaffer discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other

than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54),

wherein said facsimile device provided with a receipt-rejecting function comprising:

a normal communication control medium collecting communication control information in connection with the communication relating to a message receipt from the communication partner registered in a transmission-allowed communication partner registering table or in said receipt-allowed communication partner registering table and storing said collected communication control information in said normal communication control information storage medium (col. 3, lines 38-41 & col. 4, lines 45-50).

With respect to the rest of claim 19, arguments analogous to those presented for claims 17 and 18, are applicable.

8. With respect to claim 20, arguments analogous to those presented for claims 17-19, are applicable.

9. With respect to claim 21, Shaffer discloses the facsimile device provided with a receipt-rejecting function as defined in claim 17, wherein the communication control information collected by said receipt-rejected communication control medium and stored in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (station identifier in col. 4, line 59). Also, see fig. 20 of Oba.

10. With respect to claim 22, arguments analogous to those presented for claim 21, are applicable.

11. With respect to claim 23, arguments analogous to those presented for claim 21, are applicable.

12. With respect to claim 24, arguments analogous to those presented for claim 21, are applicable.

13. With respect to claim 25, Shaffer discloses the method of controlling the facsimile device provided with a receipt-rejecting function as defined in claim 18, wherein the communication control information memorized in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (station identifier in col. 4, line 59). Also, see fig. 20 of Oba.

14. With respect to claim 26, arguments analogous to those presented for claims 21 and 25, are applicable.

15. With respect to claim 27, Oba discloses the facsimile device further comprising a time counting medium for counting the present date and time; and

wherein the communication control information collected by said receipt-rejected communication control medium and storing in said receipt-rejected communication control information memorizing medium (communication history memory 41 in fig. 4) in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner

registering table includes the date-and-time information read out from said time counting medium at the time of the message arrival (col. 17, lines 15-21 & fig. 20).

Since it prints out the date and time of the transmission, it is inherent that the device has a clock for counting the present date and time.

16. With respect to claim 28, arguments analogous to those presented for claim 27, are applicable.

17. With respect to claim 29, arguments analogous to those presented for claim 27, are applicable.

18. With respect to claim 30, arguments analogous to those presented for claim 27, are applicable.

19. With respect to claim 31, arguments analogous to those presented for claim 27, are applicable.

20. With respect to claim 32, arguments analogous to those presented for claim 27, are applicable.

21. With respect to claim 33, arguments analogous to those presented for claim 27, are applicable.

22. With respect to claim 34, arguments analogous to those presented for claim 27, are applicable.

23. With respect to claims 35-38, arguments analogous to those presented for claim 27, are applicable.

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24. With respect to claim 39, arguments analogous to those presented for claim 17, are applicable.

25. With respect to claim 40, arguments analogous to those presented for claim 20, are applicable.

26. With respect to claim 41, arguments analogous to those presented for claim 18, are applicable.

27. With respect to claim 42, arguments analogous to those presented for claim 19, are applicable.

28. With respect to claim 1, arguments analogous to those presented for claim 17, are applicable.

29. With respect to claim 2, arguments analogous to those presented for claim 18, are applicable.

30. With respect to claim 3, arguments analogous to those presented for claim 19, are applicable.

31. With respect to claim 4, arguments analogous to those presented for claim 20, are applicable.

32. With respect to claims 5-16, arguments analogous to those presented for claim 27, are applicable.

***Conclusion***

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp  
December 21, 2004

Chan S. Park  
Examiner  
Art Unit 2622

  
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